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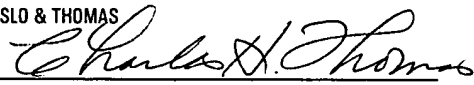
1745

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No: 09/881,515)
Applicant: William R. Schwarz)
Filed: June 14, 2001)
Title: LEAD-ACID SAFETY)
BATTERY CAP)
TC/A.U.: 1745)
Examiner: Stephen J. Kalafut)
Docket No.: T-3835)

I hereby certify that this correspondence is being deposited with
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Alexandria, VA 22313-1450 on February 25, 2004

CISLO & THOMAS


Charles H. Thomas, Registration No. 25,710

CONFIRMATION OF WITHDRAWAL OF
NOTICE OF NONCOMPLIANT AMENDMENT

Mail Stop Nonfee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On or shortly before February 10, 2004, Applicant's counsel received a Notice

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Amdt dated February 25, 2004
Reply to Office Action of July 21, 2003

of Noncompliant Amendment (37 C.F.R. § 1.121) with a stated date of mailing of January 30, 2004, although the envelope containing this document was date stamped February 2, 2004.

On February 10, 2004 Applicant's counsel telephoned Felicia Allen, the Legal Instruments Examiner who entered the Notice of Noncompliant Amendment. In that telephone discussion the undersigned counsel pointed out that there actually were strikeouts in Claim 14 and 18, which are the required markings according to the new amendment procedure. The locations of these strikeouts are described in the REMARKS section of Applicant's Amendment filed in the U.S. Patent and Trademark Office on April 14, 2003. Specifically, the word "just" that originally appeared in Claim 14 at line 7 thereof, appears with strikeouts superimposed in Applicant's SUPPLEMENTAL AMENDMENT received in the U.S. Patent and Trademark Office on July 31, 2003. Likewise, in Claim 18 the letter "a" before the numeral "13" was a typographical error and a knockout was superimposed thereon in Applicant's SUPPLEMENTAL AMENDMENT received in the U.S. Patent and Trademark Office on July 31, 2003.

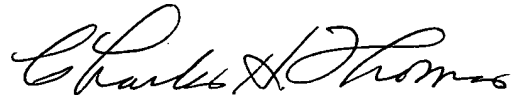
During a telephone conversation of February 10, 2004 Ms. Allen examined her copies of the Claims 14 and 18 and concurred that indeed the knockout markings were there. She indicated that a facsimile acknowledgement to disregard the Notice of Noncompliant Amendment would be sent the following day. However, Applicant has never received such a notification. Applicant therefore hereby wishes to memorialize in

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writing the fact that the U.S. Patent and Trademark Office did withdraw the Notice of
Noncompliant Amendment dated January 30, 2004.

Date: February 25, 2004

Respectfully submitted,


Charles H. Thomas
Registration No. 25,710

Charles H. Thomas
CISLO & THOMAS LLP
Suite 405
4201 Long Beach Blvd.
Long Beach, CA 90807-2022
562- 595-8422 (ph)
562-595-9319 (fax)
cthomas@cislo.com (e-mail)